STATUTORY RULES OF NORTHERN IRELAND

2004 No. 192

LANDLORD AND TENANT

The Rent Book Regulations (Northern Ireland) 2004

Made - - - -	*26th April 2004*
Coming into operation	*1st June 2004*

The Department for Social Development(**1**), in exercise of powers conferred by Articles 38(2) and 74(1) of the Rent (Northern Ireland) Order 1978(**2**) and now exercisable by it(**3**), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Rent Book Regulations (Northern Ireland) 2004 and shall come into operation on 1st June 2004.

(2) In these Regulations –

"the Order" means the Rent (Northern Ireland) Order 1978;

"protected shorthold tenancy" shall be construed in accordance with Article 92 of the Housing (Northern Ireland) Order 1983(**4**);

"uncontrolled tenancy" means a tenancy which is a private tenancy but which is neither a regulated tenancy nor a restricted tenancy;

"rent book" means a rent book provided in pursuance of Article 38(1) of the Order, and which is a written record of rent and other payments made in respect of a tenancy and a written statement of the main terms of the tenancy.

Particulars to be contained in rent books

2. A rent book shall contain the following particulars and information:

(a) the address of the premises;

(b) the name of the tenant;

(c) the name, address and telephone number of the landlord;

(**1**) S.I.1999/283 (N.I. 1), Article 3(1)
(**2**) S.I. 1978/1050 (N.I. 20) as amended by S.I. 1983/1118 (N.I. 15) and S.I. 2003/412 (N.I. 2)
(**3**) S.R. 1999 No. 481, Article 6(e) and Schedule 4 Part V
(**4**) S.I. 1983/1118 (N.I. 115)

(d) the name, address and telephone number of the landlord's agent (if any) and a description of the services provided on behalf of the landlord;

(e) the rent payable and the period covered by each payment;

(f) the Net Annual Value of the dwelling;

(g) the rates payable by the tenant, in addition to rent, and the period covered by each payment;

(h) the amount and purpose of any deposit payable (if applicable) and the conditions under which it will be repaid;

(i) the amount and description of any other payment which the tenant is required to make in addition to rent and rates (for example, in respect of heating);

(j) the tenancy commencement date;

(k) the duration of the tenancy and the notice of termination which must be given by the landlord and tenant (which must be no less than 4 weeks);

(l) the repairing obligations of both landlord and tenant;

(m) the information referred to in regulation 3.

Information required by regulation 2

3. The information referred to in regulation 2(m) is:

(a) in the case of all private tenancies, as set out in Part I of the Schedule;

(b) in the case of premises let under a restricted tenancy, as set out in Part II of the Schedule;

(c) in the case of premises let under a regulated tenancy, as set out in Part III of the Schedule;

(d) in the case of premises let under a protected shorthold tenancy, as set out in Part IV of the Schedule;

(e) in the case of premises let under an uncontrolled tenancy, as set out in Part V of the Schedule.

Revocation

4. The Rent Book Regulations (Northern Ireland) 1983(**5**) are hereby revoked.

Sealed with the Official Seal of the Department for Social Development on 26th April 2004.

D. M. Crothers
A senior officer of the
Department for Social Development

(**5**) S.R. 1983 No. 267

SCHEDULE Regulation 3

PART I

ADDITIONAL INFORMATION TO BE INCLUDED IN A RENT BOOK SUPPLIED IN CONNECTION WITH PREMISES LET UNDER A PRIVATE TENANCY

LEGAL RIGHTS OF ALL PRIVATE TENANTS

Rent Book

1. All private tenants have a legal right to a rent book which must be provided by the landlord free of charge. Your district council has powers to take legal action where this requirement is not complied with. The tenant must make the rent book available to the landlord (or agent) for updating.

Notice to quit

2. A notice to quit must give at least 4 weeks written notice of the date on which it is to take effect.

Illegal eviction and harassment

3. It is an offence for your landlord or anyone acting on his behalf to harass you or your household or illegally evict you. This could include interfering with your home or your possessions or cutting off services such as water or electricity with the intention of making you leave your home. Your district council has powers to take legal action should any of these occur.

Security of tenure

4. You cannot be evicted from your tenancy without a possession order issued by a Court of Law, although you may be liable for legal costs incurred if an order is issued.

Help with payment of rent and rates

5. You are entitled to apply for help with the payment of your rent and rates through Housing Benefit, which is a Social Security benefit paid by the Housing Executive. For further information contact your local Housing Executive office.

Further advice

6. If you would like advice or assistance with any problems you are having in relation to your tenancy contact either Housing Rights Service, telephone (028) 9024 5640, or Advice NI, who will give you details of your local advice centre, telephone (028) 9064 5919, or Citizens Advice Bureaux (see Phone Book for details). You can also contact a solicitor. Help with all or part of the costs of legal advice may be available under the Legal Aid scheme.